

STATE OF COLORADO
Annual Hazardous Materials Permit and
Annual Nuclear Materials Transportation Permit Application

Colorado law requires that any person transporting hazardous materials that require placarding under Parts 172 or 173 of Title 49, Code of Federal Regulations (C.F.R.), must obtain a permit from the Public Utilities Commission prior to performing any transportation of these materials in, to, from, or through Colorado. Additionally, both Colorado and federal law require that no motor carrier shall operate a motor vehicle until the motor carrier has obtained and has in effect the minimum levels of financial responsibility as set forth in of 49 C.F.R., Part 387.

Section 42-20-202(1)(d), Colorado Revised Statutes (C.R.S.), provides that a company has the option to file an express consent waiver designating a company representative to be a party of interest for a violation of § 42-20-202, C.R.S. The appearance of the company representative in a court hearing without the operator when the operator has signed the express consent waiver shall not be deemed the practice of law in violation of Article 5 of Title 12, C.R.S.

The hazardous material permit requirements do not apply to motor vehicles owned by the federal government, motor vehicles used to transport to or from the farm or ranch, products used for agricultural production, or farm machinery which is exempt from registration requirements by §42-3-103, Colorado Revised Statutes (C.R.S.), unless such vehicles are used in the furtherance of any commercial business other than agriculture.

The hazardous material permit requirements do apply to motor vehicles owned by the state or any political subdivision thereof, except that such vehicles are exempt from the fee requirements.

Note: An original permit must be carried in company vehicles at all times.

Exception: Companies with 301 vehicles or more may use photocopies of the permit.

There are additional permit and fee requirements for the transportation of Class 7, Highway Route Controlled Quantities (HRCQ) of radioactive materials as defined in 49 C.F.R., Part 173.403. These additional permit and fee requirements also apply to radioactive materials being transported to the waste isolation pilot plant in New Mexico; any facility provided pursuant to 42 U. S. Code, chapter 108, section 10101 *et seq.*; or any repository licensed by the U.S. Nuclear Regulatory Commission that is used for the permanent deep geologic disposal of high-level radioactive waste and spent nuclear fuel.

Except as noted above, this does not include the following:

- Nuclear materials used for research or medical purposes within Colorado. HRCQ shipments of radioactive materials used to irradiate medical supplies and equipment are not considered to be medical purposes.
- Ores or products from mining, milling, smelting, or similar processing of ores and mineral-bearing material, or the transportation thereof.
- Radioactive materials utilized in national security activities that are under the direct control of the U.S. Department of Defense, or under the direct control of the U.S. Department of Energy, which are utilized in carrying out atomic energy defense activities.

Questions regarding this application should be directed to the Public Utilities Commission at 303-894-2000 x4.

Questions concerning the regulations regarding the safe transportation, permitting, and routing of hazardous and nuclear materials should be directed to the Colorado State Patrol, Troop 8-C, Hazardous Material Transport Safety and Response, at 303-273-1900.

APPLICATION INSTRUCTIONS

GENERAL INFORMATION:	Incomplete applications will be returned for correction.												
APPLICATION TYPE:	Check the box to indicate whether this is a new application or renewal.												
APPLICABLE NUMBERS:	Include all applicable authority and permit numbers.												
TYPE OF BUSINESS:	Check the applicable box to describe your business. The name on the application and insurance filings must be identical. A physical address must be listed. Post office boxes may be used for mailing purposes only.												
TYPE OF OPERATION:	Check the applicable box. Be sure to complete both lines. Intrastate carriers that are corporations (Inc., Corp., etc.), limited liability companies (LLC), limited partnerships (LP), limited liability partnerships (LLP), and limited liability limited partnerships (LLLP) must also attach a copy of one of the following documents certified by the Colorado Secretary of State within 14 days prior to the filing of this registration: <ul style="list-style-type: none"> • Certificate of Good Standing, or • Certificate of Existence, or • Certificate of Incorporation. 												
PROCESS AGENT:	An agent for service of Commission notices, orders, and process, must be designated. For interstate carriers, this information is found on your BOC 3 Form.												
SAFETY HISTORY:	Include the date of the last compliance review and the current safety rating. A permit will not be issued to an applicant with an unsatisfactory safety rating.												
INSURANCE: Please note: All required certificates of insurance are issued by the home office of an insurance company, not the agent or broker. Limits of Liability: See the table of insurance coverage requirements attached to this application.	All insurance filings must be submitted by your insurance company or general agent through the PUC's web based filing system. <u>Paper copies will not be accepted.</u> Acceptable liability insurance filings: FORM MCS-90 (Endorsement for Motor Carrier Policies of Insurance for Public Liability) and NARUC FORM E (Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance) or, FORM MCS-82 (Motor Carrier Public Liability Surety Bond) or, SELF-INSURANCE (A copy of a written decision, order, or authorization of the Federal Motor Carrier Safety Administration authorizing the motor carrier to self-insure under Section 387.309 of Title 49, C.F.R.)												
FEES: <i>Except</i> highway route controlled quantities of radioactive material All fees are non-refundable.	Make checks payable to: Colorado Public Utilities Commission. <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">1 - 5 vehicles</td> <td style="width: 33%;">\$ 10.00</td> <td style="width: 33%;">51 - 100 vehicles</td> <td style="width: 33%;">\$200.00</td> </tr> <tr> <td>6 - 10 vehicles</td> <td>\$ 25.00</td> <td>101 - 300 vehicles</td> <td>\$350.00</td> </tr> <tr> <td>11 - 50 vehicles</td> <td>\$125.00</td> <td>301 vehicles or over</td> <td>\$400.00</td> </tr> </table>	1 - 5 vehicles	\$ 10.00	51 - 100 vehicles	\$200.00	6 - 10 vehicles	\$ 25.00	101 - 300 vehicles	\$350.00	11 - 50 vehicles	\$125.00	301 vehicles or over	\$400.00
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6 - 10 vehicles	\$ 25.00	101 - 300 vehicles	\$350.00										
11 - 50 vehicles	\$125.00	301 vehicles or over	\$400.00										
FEES: Highway route controlled quantities of radioactive material All fees are non-refundable.	\$500.00 annual permit fee. In addition, a trip fee of \$200.00 will be charged for each trip in, to, from, or through Colorado.												
VERIFICATION:	The verification must be signed or it will be returned.												

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Please print or type.

<input type="checkbox"/> Permit application	<input type="checkbox"/> Renewal application	If renewal, include Colorado Hazardous Materials Permit (HMP) # and, if applicable, Colorado Nuclear Materials Transportation Permit (NMTP) #
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HMP #	NMTP #
U.S. DOT #	U.S. DOT Hazardous Materials Registration #

TYPE OF BUSINESS:

(Check one) ☐ Individual ☐ Partnership ☐ LLC ☐ Corporation

Name: _____

DBA: _____

Street: _____
(Must be a physical location. A Post Office box is not acceptable.)

City: _____ State: _____ Zip Code: _____

Mailing Address: (If different from business address above.)

Street: _____

City: _____ State: _____ Zip Code: _____

Phone No.: _____ Fax No.: _____

TYPE OF MOTOR CARRIER OPERATION:

(Check one) ☐ Intrastate Carrier ☐ Interstate Carrier ☐ Both

(Check one) ☐ For-hire Carrier ☐ Private Carrier ☐ Both

DESIGNATION OF AGENT:

(Intrastate-only carrier) Applicant names the following adult person, who resides in the State of Colorado, as its Designation of Agent for service of notices, orders, and process. This person must reside in the state of Colorado and be 18 years of age or older. This must be a physical address; a Post Office box is not acceptable.

(Interstate carrier) This information is found on your BOC 3 Form.

Name: _____

Street: _____

City: _____ State: _____ Zip Code: _____

(See Reverse Side)

SAFETY HISTORY:

Date of last compliance review by the FMCSA: _____

Current FMCSA safety rating

(Check one)

☐

Satisfactory

☐

Conditional

☐

*Unsatisfactory

☐

Unrated

* A permit will not be issued to an applicant with an unsatisfactory safety rating.

INSURANCE REQUIREMENTS:

See page 5 of this application for insurance requirements.

Insurance must be filed in the exact same name and address as shown above.

Check in the first box the commodities being transported:

<input type="checkbox"/>	Explosives 1.1	<input type="checkbox"/>	Poison Gas 2.3 (Zone A)	<input type="checkbox"/>	Poison 6.1, PG I (Hazard Zone A, inhalation hazard)
<input type="checkbox"/>	Explosives 1.2	<input type="checkbox"/>	Poison Gas 2.3 (Zone B, C, D)	<input type="checkbox"/>	Poison 6.1, PG I (other than Hazard Zone A, inhalation hazard), PG II or III
<input type="checkbox"/>	Explosives 1.3	<input type="checkbox"/>	Flammable 3	<input type="checkbox"/>	
<input type="checkbox"/>	Explosives 1.4	<input type="checkbox"/>	Combustible Liquid	<input type="checkbox"/>	Radioactive 7 (Yellow III label only, Non HRCQ)
<input type="checkbox"/>	Explosives 1.5	<input type="checkbox"/>	Flammable Solid 4.1	<input type="checkbox"/>	
<input type="checkbox"/>	Explosives 1.6	<input type="checkbox"/>	Spontaneously Combustible 4.2	<input type="checkbox"/>	Corrosive 8
<input type="checkbox"/>	Flammable Gas 2.1	<input type="checkbox"/>	Dangerous When Wet 4.3	<input type="checkbox"/>	
<input type="checkbox"/>	Nonflammable Gas 2.2	<input type="checkbox"/>	Oxidizer 5.1	<input type="checkbox"/>	Class 9
<input type="checkbox"/>		<input type="checkbox"/>	Organic Peroxide 5.2	<input type="checkbox"/>	
<input type="checkbox"/> Radioactive 7 (Highway Route Controlled Quantity [HRCQ]). A nuclear materials permit is required if this box is checked.					

- Will any vehicles have a GVWR of 10,000 pounds or more? ☐ Yes ☐ No
- Will any vehicles be transporting hazardous substances in cargo tanks, portable tanks, or hopper-type vehicles with capacities in excess of 3,500 water gallons? ☐ Yes ☐ No
- Is proof of liability insurance required? (See insurance coverage requirements page.) ☐ Yes ☐ No
- If proof of liability insurance is not required, explain why. _____

FEES:

All fees are non-refundable.

Check the number of vehicles to be used and enclose the appropriate fee.

☐
☐
☐

1 - 5 \$ 10.00
6 - 10 \$ 25.00
11 - 50 \$125.00

☐
☐
☐

51 - 100 \$200.00
101 - 300 \$350.00
301 or more \$400.00

☐

Annual nuclear materials (HRCQ) permit fee \$500.00

VERIFICATION:

I verify that I am familiar with and will comply with the provisions of Article 20 of Title 42, C.R.S., Transportation of Hazardous and Nuclear Materials, and with the rules and regulations promulgated pursuant to Section 42-20-108, C.R.S., for hazardous materials and Sections 42-20-403 and 42-20-504, C.R.S., for nuclear materials. I have read and know the contents of this application and they are true to the best of my knowledge.

Signature: _____

Date: _____

Title: _____

Mail the completed application with all applicable fees and attachments to:

COLORADO PUBLIC UTILITIES COMMISSION, 1560 BROADWAY, SUITE 250, DENVER CO 80202-5143

INSURANCE COVERAGE REQUIREMENTS

Transportation Type		Interstate	Interstate	Intrastate	Intrastate
GVWR (gross vehicle weight rating)		<10,000lbs	>=10,000lbs	<10,000lbs	>=10,000lbs
Hazard Class or Division Number and Additional Information	Placard Name				
Division 1.1	Explosives 1.1	Any - 5M	Any - 5M	0	Any - 5M
Division 1.2	Explosives 1.2	Any - 5M	Any - 5M	0	Any - 5M
Division 1.3	Explosives 1.3	Any - 5M	Any - 5M	0	Any - 5M
Division 1.4	Explosives 1.4	0	Any - 1M	0	In bulk - 1M
Division 1.5	Explosives 1.5	0	Any - 1M	0	In bulk - 1M
Division 1.6	Explosives 1.6	0	Any - 1M	0	In bulk - 1M
Division 2.1	Flammable Gas	0	In bulk - 5M Non bulk-1M	0	In bulk - 5M
Division 2.2	Non-Flammable Gas	0	In bulk - 5M Non bulk-1M	0	In bulk - 5M
Division 2.3, (Hazard Zone A)	Poison Gas	Any - 5M	Any - 5M	0	Any - 5M
Division 2.3, (Hazard Zone B,C,D)	Poison Gas	0	Any - 1M	0	In bulk - 1M
Class 3	Flammable	0	Any - 1M	0	In bulk - 1M
Combustible Liquid	Combustible	0	Any - 1M	0	In bulk - 1M
Division 4.1	Flammable Solid	0	Any - 1M	0	In bulk - 1M
Division 4.2	Spontaneously Combustible	0	Any - 1M	0	In bulk - 1M
Division 4.3	Dangerous When Wet	0	Any - 1M	0	In bulk - 1M
Division 5.1	Oxidizer	0	Any - 1M	0	In bulk - 1M
Division 5.2	Organic Peroxide	0	Any - 1M	0	In bulk - 1M
Division 6.1, PG I (Hazard Zone A, inhalation hazard)	Poison	Any - 5M	Any - 5M	0	Any - 5M
Division 6.1, PG I (other than Hazard Zone A, inhalation hazard), PG II, or PG III	Poison	0	Any - 1M	0	In bulk - 1M
Class 7, (highway route controlled quantities of a material as defined in 49 CFR 173.403)	Radioactive	Any - 5M	Any - 5M	0	Any - 5M
Class 7, (Yellow III label only, non route controlled)	Radioactive	0	Any - 1M	0	In bulk - 1M
Class 8	Corrosive	0	Any - 1M	0	In bulk - 1M
Class 9	Class 9	0	Any - 1M	0	In bulk - 1M
Hazardous Substances, as defined in 49 CFR 171.8, transported cargo tanks, portable tanks, or hopper-type vehicles with capacities in excess of 3500 water gallons		0	5M	0	5M

Legend

1M	\$1,000,000 insurance filing required
5M	\$5,000,000 Insurance filing required
0	No insurance filing is required
Any	Any quantity

<	Less than
>=	Greater than or equal to
In bulk	As defined in 49 CFR, 387.5
Non bulk	As defined in 49 CFR, 171.8

Note: "In-bulk" - the transportation, as cargo, of property in containment systems with capacities in excess of 3,500 water gallons.